

# UNIT 79 INTELLECTUAL PROPERTY

(Formerly Unit 58(B))

\_\_\_\_\_ has satisfactorily completed on-the-job training in the Part or Parts of this Unit specified below.

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## Certification for Part B: Compliance with Other Terms and Conditions

**Duties**

1. Monitor compliance with the intellectual property sections of FAR 52.212-4 in contracts for commercial items, or the Clauses in UCF §I (or equivalent clauses in other contracts) by both the contractor and Government personnel.
2. Respond to contractor requests and perform any other actions required of the contracting officer under the terms of the contract.
3. Inform the contractor of any potential breaches.
4. Resolve any compliance problems, where possible, without resorting to a formal contractual remedy.

**Conditions**      Given a contract, the contract administration plan, and any other related document referenced in the contract.

**Overall Standard(s)**      Properly enforce all contract and procedural requirements. Monitor actions of contracting officer representatives and other support personnel to preclude breaches by the Government. Identify and document potential breaches and report them to the contractor for correction as early as they occur. Accurately assess the impact of potential problems on performance and delivery requirements.

**Evaluator**

Name      \_\_\_\_\_

Title      \_\_\_\_\_

Date      \_\_\_\_\_

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# UNIT 79 INTELLECTUAL PROPERTY

DOCUMENTATION OF OJT ASSIGNMENT(S)
<b>Description of Assignment:</b>
<b>Evaluation:</b>
<b>Completion Date:</b>

## UNIT 79 INTELLECTUAL PROPERTY

## DOCUMENTATION OF OJT ASSIGNMENT(S)

### Description of Assignment:

**Evaluation:****Completion Date:**

*As needed, insert additional pages to record OJT assignments.*

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## Policies

<i>FAR</i>	<i>Agency Suppl.</i>	<i>Subject</i>
27.104		General guidance on patents, data, and copyrights.
27.201-1 27.202-1 27.203-1		Claims of infringement of patents when the Government has authorized or consented to the manufacture or use of a patented invention.
27.207-1		Determining the security classification of a contractor's patent application.
27.300 - 302 27.304-1 27.304-4 27.304-5 27.305		Administering terms and conditions with respect to inventions made in the performance of work under a Government contract or subcontract if a purpose of the contract or subcontract is the conduct of experimental, developmental, or research work (i.e., terms and conditions with respect to patents).
27.400 - 402 404(f) - (j) 405 - 406		Administering terms and conditions with respect to rights in data and copyrights.
52.227-1 through 227-3; 52.227-10 through 227-13		Patents.
52.227-14 and 227-16 thru 227-20		Rights in data.

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Other KSA's

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Other Policies and References (Annotate As Necessary):

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## Tasks

## Related Standards

<p>1. Identify, investigate, and resolve patent-related problems.</p> <p>Identify and resolve problems related to:</p> <ul style="list-style-type: none"> <li>• Reporting requirements.</li> <li>• Patent infringements arising out of or resulting from contracts for supplies or services.</li> <li>• Titles to patents under Government contracts.</li> <li>• Licenses to use patented inventions (by the Government when the contractor has title; by the contractor when the Government acquires title).</li> <li>• Lack of progress by the contractor or assignee in utilizing patents (i.e., potential need to exercise march-in rights).</li> <li>• Preferences for U.S. industry when granting rights to use the invention in the U.S.</li> <li>• Preferences for small business concerns.</li> <li>• Publication or release of invention disclosures.</li> <li>• Greater rights determinations, in response to requests for such rights under FAR 52.227-13.</li> <li>• Contractor appeals under patent clauses.</li> </ul>	<p>1. Identify and correctly interpret the applicable FAR policies in subparts 27.1 through 27.3 and the clause(s) in Part 52 (e.g., 227-1, 227-2, 227-3, and 227-10 through 227-13).</p> <p>When administering patent clauses:</p> <ul style="list-style-type: none"> <li>• Inventions are identified, disclosed, and reported as required by the contract and elections made.</li> <li>• The rights of the Government in such inventions are established.</li> <li>• Where appropriate, patent applications are timely filed and prosecuted by the contractor or the Government.</li> <li>• Expeditious commercial utilization of such inventions is achieved.</li> </ul>
<p>2. Identify, investigate, and resolve problems with data rights.</p> <p>Identify and resolve problems related to:</p> <ul style="list-style-type: none"> <li>• Copyrighting of data first produced in the performance of a contract.</li> <li>• Use of copyrighted data not first produced in the performance of the contract.</li> <li>• Release, publication and use of data.</li> <li>• Unauthorized marking of data.</li> <li>• Omitted or incorrect notices.</li> <li>• Inspection of data at the Contractor's facility.</li> <li>• The acquisition of data.</li> </ul>	<p>2. Identify and correctly interpret the applicable FAR policies in subparts 27.1 and 27.4 ; identify and correctly interpret the applicable clause(s) in Part 52 (e.g., 227-14 and 227.16 through 227.20).</p>